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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Valentino Dimitrov,  
10 Plaintiff,

11 v.

12 Stavatti Aerospace Limited, et al.,  
13 Defendants.  
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No. CV-23-00226-PHX-DJH

**ORDER**

15 This matter having recently come before the Court,

16 **IT IS ORDERED** that a motion pursuant to Federal Rule of Civil Procedure 12(b)  
17 is discouraged if the defect can be cured by filing an amended pleading. Therefore, the  
18 parties must meet and confer prior to the filing of a motion to dismiss to determine whether  
19 it can be avoided. Consequently, motions to dismiss must be accompanied by a notice of  
20 certification of conferral indicating that the parties have conferred to determine whether an  
21 amendment could cure a deficient pleading and have been unable to agree that the pleading  
22 is curable by a permissible amendment. Motions to dismiss that do not contain the required  
23 certification are subject to be stricken on the Court's motion.

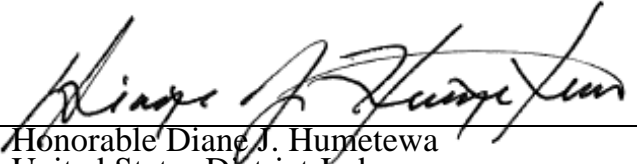
24 **IT IS FURTHER ORDERED** the parties shall endeavor not to oppose motions to  
25 amend that are filed prior to the Rule 16 Scheduling Conference or within the time set forth  
26 in the Rule 16 Scheduling Order. A motion to amend filed prior to the Rule 16 Scheduling  
27 Conference must state the position of each other party. If the moving party's efforts to  
28 determine the position of any other party are unsuccessful, a statement to that effect must

1 be included in the motion or stipulation.

2 **IT IS FURTHER ORDERED** that Plaintiff(s) shall serve a copy of this order upon  
3 any Defendants who have not yet appeared and file notice of service.

4 **IT IS FURTHER ORDERED** directing any party appearing *pro se* to become  
5 familiar with the Local Rules and the Federal Rules of Civil Procedure. Such parties are  
6 advised of the free Self-Service Clinic at the courthouse. For information on the free clinic  
7 and the Handbook for Self-Represented Litigants, visit the Court's internet site at:  
8 [www.azd.uscourts.gov](http://www.azd.uscourts.gov). Proceed to the box entitled *Information for Those Proceeding*  
9 *Without an Attorney* and then the link entitled *Federal Court Self-Service Clinic-Phoenix*.

10 Dated this 6th day of February, 2023.

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14 Honorable Diane J. Humetewa  
United States District Judge  
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